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7 Attorneys for Plaintiff  
SPANSION LLC

8 Other Counsel Appear on Signature Page

9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 SPANSION LLC, a Delaware corporation,

13 Plaintiff,

14 v.

15 MACRONIX INTERNATIONAL CO., a  
16 Taiwan corporation, and MACRONIX  
17 AMERICA, INC., a California corporation,

18 Defendants.

CASE NO. C 06-1733 MJJ

**STIPULATION AND [PROPOSED]  
ORDER ON ACCEPTANCE OF  
SERVICE AND EXTENDING TIME  
TO RESPOND TO THE COMPLAINT**

19 **STIPULATION**

20 Counsel for the parties in the above entitled action have conferred regarding  
21 preliminary issues in this case. These issues include effecting valid service of process on  
22 defendant Macronix International Co., and the deadline for defendants to respond to the  
23 Complaint. In order to promote the timely and orderly prosecution of this case, the parties,  
24 through their undersigned counsel, have agreed as follows:

25  
26  
**STIPULATION AND [PROPOSED] ORDER ON  
ACCEPTANCE OF SERVICE AND EXTENDING TIME  
TO RESPOND TO THE COMPLAINT - 1**

**C 06-1733 MJJ**

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(1) Counsel for the defendants, Gibson, Dunn & Crutcher LLP and Glenn K. Beaton, Esq., are authorized to and have agreed to accept service of process of the Summons and Complaint in this case on behalf of Macronix International Co. This acceptance of service of process and entry into this Stipulation shall not constitute a waiver of the defendants' right to contest personal jurisdiction, and entry into the foregoing Stipulation by Macronix International Co. and entry of this Order shall not constitute a general appearance, all rights to contest jurisdiction being expressly reserved.

(2) Defendants Macronix America, Inc. and Macronix International Co. shall have an extension of the 20-day deadline to respond to the Complaint. The deadline for defendants to respond to the Complaint shall be continued to May 26, 2006.

## IT IS SO STIPULATED.

GIBSON, DUNN & CRUTCHER LLP  
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GLENN K. BEATON (*pro hac vice*)  
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Dated: March 24, 2006 By: /s/  
Steven J. Johnson  
Attorneys for Defendant,  
MACRONIX AMERICA, INC.  
and Specially Appearing for Defendant,  
MACRONIX INTERNATIONAL CO.

**STIPULATION AND [PROPOSED] ORDER ON  
ACCEPTANCE OF SERVICE AND EXTENDING TIME  
TO RESPOND TO THE COMPLAINT - 2**

C 06-1733 MJJ  
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1 PRESTON GATES & ELLIS LLP  
2 DOUGLAS B. GREENSWAG (*PRO HAC VICE*)  
3 RACHEL DAVIDSON (State Bar No. 215517)

4 Dated: March 24, 2006 By: /s/

5 Douglas B. Greenswag  
6 Attorneys for Plaintiff

7 ORDER

8 The Court, having reviewed the Stipulation and Proposed Order and supporting  
9 declaration, and being fully advised of the premises, finds good cause for approving the  
10 Stipulation. Accordingly, the Court does hereby find and ORDER:

11 (1) Counsel for the defendants, Gibson, Dunn & Crutcher LLP and Glenn K.  
12 Beaton, Esq. have validly accepted service of process of the Summons and  
13 Complaint on behalf of Macronix International Co. This acceptance of service  
14 does not constitute a waiver of the defendants' right to contest personal  
15 jurisdiction, and entry into the foregoing Stipulation by Macronix International  
16 Co., and entry of this Order shall not constitute a general appearance, all rights  
17 to contest jurisdiction being expressly reserved.

18 (2) The deadline for defendants to respond to the Complaint is hereby continued to  
19 May 26, 2006.

20 Dated: March 27, 2006



21 Honorable Martin J. Jenkins

22  
23 STIPULATION AND [PROPOSED] ORDER ON  
24 ACCEPTANCE OF SERVICE AND EXTENDING TIME  
25 TO RESPOND TO THE COMPLAINT - 3  
26

C 06-1733 MJJ

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